

**Ingberg, Todd**

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**From:** Ingberg, Todd  
**Sent:** Wednesday, July 09, 2008 10:35 AM  
**To:** 'idht@yahoo.com'  
**Cc:** Bullock, Lewis; Forte, Darryl  
**Subject:** FW: 10/709,501  
**Attachments:** LegalSignatureMissing.pdf

Dear Igor Voln;

Your response of March 21, 2008 was missing the slashes around your name. The slashes which make it a legal signature. See the PDF file attachment with Darryl Forte's note on it.

The Office responded April 3, 2008 and the record does not show you responded to correct this deficiency.

The Notice of Non Compliance the Clerk sent to you indicates your response period can be extended (Rule 136A response to non final).

The Notice was sent out April 3, 2008. The due date was May 3, 2008.

You can extend the response period by paying an extension fee to the Commissioner of Patents same as your prior fee payments.

You response correcting the missing signature. Your response must be received by August 3, 2008. A three month extension fee of \$525.00 (if received by 8/3/08) must be paid.

Please indicate in your correspondence what the payment is for ( i.e. Three must extension fee in response to correspondence of April 3, 2008).

There is a limit to how long you can extend a response period for before your case is abandoned by law.

Please resubmit your entire response with corrections with the fee to the Office and keep the receipt for your records.

I can speak with you but also my SPE and the Supervisor of the Clerks can speak with you.

My Supervisor - Lewis Bullock 571 272-3759  
Supervisor of Clerks - Darryl Forte 571 272-3580

Thank You  
Todd Ingberg  
Primary Examiner  
571 272-3723

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**From:** Bullock, Lewis  
**Sent:** Tuesday, July 08, 2008 12:02 PM  
**To:** Ingberg, Todd  
**Subject:** RE: 10/709,501

You can talk to Darryl, but my guess of the situation is that he's mistaken the fax / electronic receipt of receiving the filing as a determination of compliance. That electronic receipt is like a fax transmission of OK, it still must be reviewed to determine if its includes the required information thereby being a proper request. All the receipt means is that it was received, not reviewed. The documents submitted March 21st are not properly signed as recognized by the U.S.P.T.O. If he wants further clarification, he can contact Darryl or myself.

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**From:** Ingberg, Todd

7/9/2008

**Sent:** Tuesday, July 08, 2008 11:10 AM  
**To:** Bullock, Lewis  
**Subject:** FW: 10/709,501

My Pro Se case has an issue.  
Who is the best person for me to talk to?

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**From:** JW [mailto:jdht@yahoo.com]  
**Sent:** Tue 7/8/2008 5:43 AM  
**To:** Ingberg, Todd  
**Subject:** Re: 10/709,501

Yes, that means that I did submit the document ELECTRONICALLY. Like I always did.

AND you know it,  
because I did send you the copy right after the submission as a PDF file.  
What was the reason the document was submitted on March 21st?  
The slashes! Why did the office sent me the letter of compliance after I submitted the properly signed document electronically? It is a very interesting question.  
Apparently, your electronic submission system has not delivered the documents property.  
So, I suggest, that yes, in this situation, this is you who are supposed to answer the question:

I don't see a resubmission with a proper signature in the file. Do you? If not, The April 3rd deadline is still running. It's extendable  
I emailed you the properly signed document on the date of submission and notified you about the submission.  
So , I think, you are supposed to see a proper resubmission. Do not you?

If not, i will email to the USPTO management and ask about their opinion on the subject.  
I have my own business to take care of and do not have time to deal with idiosyncrasies of your patent submission system. I am a small entity, but I still have some respect to myself.

----- Original Message -----

**From:** "Ingberg, Todd" <Todd.Ingberg@USPTO.GOV>  
**To:** JW <jdht@yahoo.com>  
**Sent:** Thursday, July 3, 2008 12:16:14 PM  
**Subject:** RE: 10/709,501

Your Electronic Acknowledgement Receipt appears to be dated March 21, 2008  
The Office sent a notice of non compliance on April 3, 2008 in response to your March 21, 2008 submission because of the lack of signature.  
The need for slashes on both sides.

There is not record that you responded to this notice in the record.  
You can produce a Receipt showing you responded to the Notice.  
If you do not have one you need to to pay fees to extend your response time.

7/9/2008

Thank You  
/Todd Ingberg/ (type your signature like this with the slashes)  
Primary Examiner

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**From:** JW [mailto:jdht@yahoo.com]  
**Sent:** Thursday, July 03, 2008 3:26 PM  
**To:** Ingberg, Todd  
**Subject:** Re: 10/709,501

So, your reply is what? I have emailed you after the resubmission,  
including the receipt and the properly signed document, did you let your colleague  
know?

----- Original Message -----

From: "Ingberg, Todd" <Todd.Ingberg@USPTO.GOV>  
To: jdht@yahoo.com  
Sent: Wednesday, July 2, 2008 2:34:03 AM  
Subject: 10/709,501

Your resubmission is not showing.  
You must resubmit it to the formal channel and pay an extension fee.  
The following was provided to me from a resource inside the Office

RESPONSE TO MY QUESTION - About the status of your case.

I don't see a resubmission with a proper signature in the file. Do you? If not, The April 3rd deadline is still  
running. It's extendable.

Here are the fees from the MPEP.

1.17 Patent application and reexamination processing fees.

(a) Extension fees pursuant to § 1.136(a):

(1) For reply within first month:

By a small entity ( § 1.27(a))..... \$60.00

By other than a small entity..... \$120.00

(2) For reply within second month:

By a small entity ( § 1.27(a))..... \$230.00

By other than a small entity..... \$460.00

(3) For reply within third month:

By a small entity ( § 1.27(a))..... \$525.00

By other than a small entity..... \$1,050.00

(4) For reply within fourth month:

By a small entity ( § 1.27(a))..... \$820.00

By other than a small entity..... \$1,640.00

**Todd Ingberg**  
Primary Examiner  
Art Unit 2193

7/9/2008

Appl. Number: 10/709,501

Confirmation No: 3500

Applicant/Inventor: Igor Voln

Filing Date: 5/10/2004

Art Unit: 2193

Examiner: Todd Ingberg

Customer number: 000040796

Ref#3037-1830

Serial# 10/709501

Publication us-2005-0256891-a1

Publication date 11/17/2005

PUB. APP. NO.20050256891

Commissioner for patents

PO BOX 1450

Alexandria, Virginia 22313-1450

**ENTER IN RECORD**

From:

Igor Voln

2464 Prince Edward St. 301

Honolulu HI 96815

Phone: (808) 388-2210

Fax: (702) 993-5851

Email: idht@yahoo.com

**AMENDMENT:**

Sir,

In response to the office action as of December 12, 2007 please amend the above identified application as the following:

**Amendments to the claims:**

Attached listing of claims will replace all prior versions and listings of application.

**Listing of claims:**

Claims 1-16 have been canceled and replaced with claims 17-37

(see pages 2-12 of this document)

Respectfully submitted by:

Igor Voln

Igor Voln

Phone: (808) 388-2210

Fax: (702) 993-5851

Email: idht@yahoo.com

**TODD INGBERG  
PRIMARY EXAMINER**

Attachment to 7/9/08  
email

Legal Signature Missing. PDF  
**ENTER IN RECORD**

From document  
received on 3/21/08.

Improper signature.

No slashes are present.

ST